

May 22, 2001

The Salisbury Planning Board held its regular meeting on Tuesday, May 22, 2001, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: DeeDee Wright, Elaine Stiller, Fred Dula, Rodney Queen, Leigh Ann Loeblein, Jeff Smith, Lou Manning, John Daniels, Brian Miller

ABSENT: Eldridge Williams, Sean Reid, Ken Mowery

STAFF: Harold Poole, Hubert Furr, Patrick Kennerly, Dan Mikkelson, Janice Hartis

The meeting was called to order by Chairman Wright. The minutes of May 8, 2001, were approved as published.

GROUP DEVELOPMENTS

G-2-01 East Council Place, East Council and North Lee streets

The Technical Review Committee reviewed the first plan submitted by the developer and recommended a number of changes. Hubert Furr presented a revised site plan reflecting the Technical Review Committee's recommendations. The Technical Review Committee's recommendation is to approve the revised site plan with the following conditions: (1) staff recommends relief from the Type A side yard on the west side of the property in exchange for an eight foot minimum street yard along the parking area on East Council Street enhanced with effective screening; (2) staff recommends removing parking lot tree on the left side of the driveway and grant relief from the sixty-foot spacing for parking spaces 8, 9, and 21; (3) the storm drainage plan shall be submitted and approved by the City Engineer; installation of underground storm water pipes shall be coordinated; (4) the sidewalk shall be installed to city standards at standard grade and the door elevations shall be adjusted to match the sidewalk; (5) any parking lot lighting installed now or later shall meet city standards; and (6) a dumpster shall be shown with appropriate screening.

The major differences between the original submittal and the TRC recommendation are as follows: (1) the original site plan shows 25 parking spaces; the TRC recommendation shows 23 spaces; (2) the original site plan shows no required street trees at the parking lot entrance on Council Street; the TRC recommendation shows two street trees to meet this requirement which would eliminate one parking space along with the removal of the two-foot low brick wall in the original plans; (3) the original site plan shows no dumpster; the TRC recommendation is to add a dumpster which would replace a parking space; (4) the original site plan shows a parking lot tree adjacent to parking space 25; the TRC recommendation is to remove this tree.

Comments from the public:

Randy Hemann, Downtown Salisbury, Inc., Executive Director – This was the perfect project the way it was submitted originally. He supports the inclusion of the low brick wall as proposed in the original site plan. He agrees that we need landscaping but thinks the eight foot

street tree requirement is a little excessive in the urban environment. He feels a four-foot buffer in the downtown area would be more suitable. The alternative means of compliance is a good thing; however, there are examples where it doesn't work as well as it should in the downtown. This is one of those examples. He asks that the Board consider supporting the original site plan which included the low brick wall.

Gray Stout, architect for the project – Also spoke in favor of the original site plan. Parking is a paramount concern in the downtown area. This project has 12 condominiums with two parking spaces per unit. These are all office use and will be used mostly between 8 a.m. and 5 or 6 p.m. which is the peak demand time for parking in the downtown area. We are concerned that when the offices are occupied and clients arrive to go to these businesses, it will overburden the parking on the street and in other adjacent lots. The revised plan provides for a dumpster which removes one of the parking spaces. He is proposing rollout trash containers in lieu of a dumpster. The rollout containers have worked very well next door at 205 East Council Street. The amount of waste created by office use is rather low and mostly consists of paper products that are either shredded or recycled. The original site plan provided for 25 parking spaces. The revised site plan per TRC recommendations drops the number to 23 spaces.

Neil Sansovich, owner and developer of the project – Has worked about a year on this project and has pre-sold six units. He's selling each of the 12 units with two parking spaces. He can't sell them with one space. This is a good infill project that will bring a good vibrancy to the downtown as well as good investment. Feels the wall is very important architecturally to tie the buildings together and at the same time shield the parking. For him to develop this project and sell it, he needs the 25 parking spaces.

Mr. Furr said that the dumpster is a requirement per the city's Waste Management director. A dumpster is being required due to the number of units in this project.

Dr. Dula indicated that he would hate to see this project have less of a chance of success because of a dumpster. This is one of the finest things that's happened to Salisbury. This could draw other kinds of things to the city. There may be an ordinance that requires a dumpster, but if there's any way around it so that the developer can get his parking places in order for him to sell his units so this can be a success and increase the viability of the whole area, then he thinks we ought to do it.

Brian Miller agreed with Dr. Dula. This is the type of development we should encourage. We ought to try to do whatever we can to make it work. Jeff Smith commented he doesn't want to hold up this project based on a dumpster versus rollouts.

Jeff Smith moved to recommend approval of the original site plan (which includes 25 parking spaces, includes the two-foot wall, and does not include the dumpster), that the storm drainage must be approved by the city's Engineering Department, that the sidewalk be installed to city standards, and to include parking lot trees to meet the 60' space requirement for all parking spaces. The motion was seconded by Brian Miller with all members voting AYE.

G-7-2000 South Main Apartments, 1205 South Main Street

It was the consensus of the Board to approve the removal of Rodney Queen from the Board during discussion of this case.

The Planning Board and City Council approved this site plan July 2000. Prior to Planning Board's recommendation for approval, a committee met with adjacent property owners and with the developer at that time (Mike Moore) and a compromise on the site plan was agreed upon. It was very important to the neighbors that the five dormers as indicated on the approved site plan be put on top of the structure. The apartments have been built. The dormers were not installed, so a certificate of occupancy has not been issued. Mr. Furr provided a picture of the apartments. Although the dormers were not built, shutters were added to the windows. Because of the elevation of South Main Street and due to height of the building, it's very difficult to see the top of the building from the street. The approved site plan also called for a Type A planting yard. The developer has asked that instead of elbowing around and following the property line, he be allowed to extend the landscaping straight back. The new owner, Rodney Queen, has submitted a request asking for approval of changes in the landscape plan and the elimination of the dormers on the roof.

Mr. Queen informed the Board he inherited this project after it had gone through all the approval process. He constructed the building and then found out that a lot of the neighbors opposed the project. One of the reasons he didn't include the dormers, besides not knowing this was such a strong issue, was that they did not line up properly as well as the roof being low-pitched. A dormer is designed for a higher pitched roof in order to be effective. The picture Mr. Furr provided was taken from across the street on a slight hill. If you're down on the street, you'd never notice the dormers when you drove by the building. Shutters were added to the building, which were not on the approved site plan, because he felt they would look better than the dormers. He is going to make the building more attractive by doing a lot of landscaping on the front of the building. He is also asking for a change in the landscaping because the people living in the house behind the apartments have used this property for their driveway for years. If you run the landscaping according to the property lines, this would block off their means of parking. Mr. Queen stated that if he needs to install the dormers and continue the landscaping as previously planned, he wouldn't have a problem with that.

Comments from the public:

Ann Hoffman, 1215 South Main Street – Feels that it would be in the best interest of the neighbors, and also more visually appealing, if the hedges went straight down what was thought to be the original property line. Questioned how a building could be built that is such a departure from the approved plans.

Marc Hoffman, 1215 South Main Street – Doesn't think the appearance of the building will be improved with the dormers, so it doesn't really matter one way or the other. He questioned why the bracket-work shown on the approved site plan was not added on the finished product. Setting the structure so close to the street was not a great idea. The neighbors asked a year ago when the site plan was first being considered to put the building parallel with the other houses. The apartments are vinyl as opposed to the surrounding brick structures.

Jeff Smith said he was on the original committee which met with the neighbors and the developer. This is not what he would want to see on South Main Street. There was discussion at the committee meeting as to where to line up the apartments based on the fact that the houses on either side are not lined up. One is closer to the street than the other. He feels the board has the right to request that a street facade be brick. He hopes the board looks at this as an example and scrutinize future site plans closer and speak up if you don't think it's going to look right. In this case, the dormers will probably not make a difference at this point.

Leigh Ann Loeblein also served on the committee and agrees with Jeff. She said she had a problem with a developer taking an approved site and not building it according to the plan. The same goes for landscaping. She went out to this site and saw that the landscaping has already been installed for which the developer is now requesting approval. It makes sense the way it is installed, but she's skeptical of what a precedent the board will set when a site plan is approved, the developer builds it differently, and then comes back and asks for forgiveness.

Elaine Stiller felt the addition of the shutters as opposed to the dormers is an improvement and doesn't see adding the dormers as being an advantage.

Jeff Smith moved to recommend approving the landscaping changes. The motion was seconded by John Daniels with all members voting AYE except Leigh Ann Loeblein who voted NAY. The motion carried.

Brian Miller moved to recommend approving the elimination of the dormers. The motion was seconded by Fred Dula with Manning, Stiller, Dula, Miller and Daniels voting AYE and Smith, Loeblein and Wright voting NAY. The motion carried.

Brian Miller moved that the developer submit a plan for review of the front yard landscape design. The motion was seconded by Leigh Ann Loeblein with all members voting AYE except John Daniels who voted NAY. The motion carried.

N. C. PLANNING CONFERENCE

Leigh Ann Loeblein gave a brief presentation on the state planning conference held in Charlotte May 17 and 18.

There being no further business to come before the Board, the meeting was adjourned.

Chairman

Secretary